

EXHIBIT B

Notice of Intent to Remove

In removal proceedings under section 238(b) of the Immigration and Nationality Act

File No.: [REDACTED]

To: Jose MACEDO-De La Cruz

Address: C/O US ICE Detention, 77 Forsyth St., Atlanta, GA 30303

(Number, street, city state and ZIP code)

Telephone: [REDACTED]

(Area code and phone number)

Pursuant to section 238(b) of the Immigration and Nationality Act (Act), 8 USC 1228(b) the Immigration and Naturalization Service (Service) has determined that you are amenable to expedited administrative removal proceedings. The determination is based on the following allegations:

1. You are not a citizen or national of the United States;
2. You are a native of Mexico and a citizen of Mexico;
3. You entered the United States at or near San Ysidro, California on or about August 1993;
4. At that time, you were not inspected by an Immigration Officer;
5. You are not lawfully admitted for permanent residence;
6. You were convicted on March 04, 2003 in the Circuit Court of Cullman County, Cullman, Alabama for the offense of trafficking methamphetamine in violation of Section 13A-012-231(11) of the Alabama Criminal Code;
7. You were sentenced to 18 months confinement in the Alabama penal system and 3 years probation.

Charge:

You are deportable under section 237(a)(2)(A)(iii) of the Act, 8 USC 1227(a)(2)(A)(iii), as amended, because you have been convicted of an aggravated felony as defined in section 101(a)(43)(B) of the Act, 8 USC 1101(a)(43)(B); to wit: Trafficking methamphetamine for which a specific term of imprisonment is not required.

Based upon section 238(b) of the Act, the Service is serving upon you this NOTICE OF INTENT TO ISSUE A FINAL ADMINISTRATIVE REMOVAL ORDER ("Notice of Intent") without a hearing before an Immigration Judge;

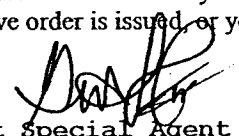
Your Rights and Responsibilities

You may choose to be represented (at no expense to the United States government) by counsel, authorized to practice in this proceeding. If you wish legal advice and cannot afford it, contact legal counsel from the list of available free legal services provided to you.

You must respond to the above charges in writing to the Service address provided below within 10 calendar days of service of this notice (or 13 calendar days if service is by mail). The Service must **RECEIVE** your response within that time period.

In your response you may: request, for good cause, an extension of time; rebut the charges stated above (with supporting evidence); request an opportunity to review the government's evidence; admit deportability; designate the country to which you choose to be removed in the event that a final order of removal is issued (which designation the Service will honor only to the extent permitted under section 241 of the Act, 8 U.S.C. 1231); and/or if you fear persecution in any specific country or countries, you may request withholding of removal under section 241(b)(3) of the Act or withholding/deferral of removal under the Convention Against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment (Convention against Torture). A grant of withholding or deferral of removal would prohibit your return to a country or countries where you would be persecuted or tortured, but would not prevent your removal to a safe country.

You may seek judicial review of any final administrative order by filing a petition for review within 30 calendar days after the date such final administrative order is issued, or you may waive such appeal by stating, in writing, your desire not to appeal.


Assistant Special Agent In Charge

(Signature and title of issuing officer)

New Orleans, LA

(City and state of issuance)

08/22/03 1330

(Date and time)

Certificate of Service

I served this Notice of Intent. I have determined that the person served with this document is the individual named on the other side of this form.

Charles D. Hicks, SA
(Signature and Title of Officer)

09/22/03 @ 10:55 AM
(Date and Manner of Service) **IN PERSON**

☒ I explained and/or served this Notice of Intent to the alien in the Spanish language.

Name of Interpreter Service Officer

Location/Employer _____

I Acknowledge that I Have Received this Notice of Intent to Issue a Final Administrative Removal Order.

Jose Macedo
(Signature of respondent)

09/22/03 @ 10:55 AM
(Date and Time)

☐ Alien refused to acknowledge receipt of this document.

(Signature and Title of Officer)

(Date and Time)

I Wish to Contest and/or to Request Withholding of Removal

☐ I contest my deportability because: (Attach any supporting documentation):

- ☐ I am a citizen or national of the United States.
☐ I am a lawful permanent resident of the United States.
☐ I was not convicted of the criminal offense described in allegation number 6 above.
☐ I am attaching documents in support of my rebuttal and request for further review.

☐ I request withholding or deferral of removal to _____ [Name(s) of Country or Countries]:

☐ Under section 241(b)(3) of the Act, because I fear persecution on account of my race religion, nationality, membership in a particular social group, or political opinion in that country or those countries.

☐ Under the Convention Against Torture, because I fear torture I am a citizen or national of the United States.

(Signature of Respondent)

(Printed Name of Respondent)

(Date and Time)

I Do Not Wish to Contest or Request Withholding of Removal

☒ I admit the allegations and charge in this Notice of Intent. I admit that I am deportable and acknowledge that I am not eligible for any form of relief from removal. I waive my right to rebut and contest the above charges and my right to file a petition for review of the Final Removal Order. I wish to be deported to

MEXICO

☒ I also waive the 14-day period of execution of the Final Removal Order.

Jose Macedo
(Signature of Respondent)

Jose Macedo
(Printed Name of Respondent)

09/22/03 @ 10:55
(Date and Time)

Charles D. Hicks
(Signature of Witness)

Charles D. Hicks
(Printed Name of Witness)

09/22/03 @ 10:55
(Date and Time)

RETURN THIS FORM TO:

**United States Department of Homeland Security
Bureau of Immigration and Customs Enforcement
77 Forsyth Street
Atlanta, GA 30303**

ATTENTION: DEPORTATION

The Service office at the above address must **RECEIVE** your response within 10 calendar days from the date of service of this notice (or 13 calendar days if service is by mail).